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IN RE: PETITION FOR ADMIN. VARIANCE W/S Windys Run Road, 800' S of the c/l

West Geipe Road

(1924 Windys Run Road)

1st Election District

1st Councilmanic District

Kimberly C. Thrift Petitioner

- BEFORE THE
- * DEPUTY ZONING COMMISSIONER
- OF BALTIMORE COUNTY
- Case No. 99-397-A

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of a Petition for Administrative Variance filed by the owner of the subject property, Kimberly C. Thrift. The Petitioner seeks relief from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 16 feet in lieu of the required 22.5 feet for a proposed deck/porch (screened), and to amend the last approved Final Development Plan for Caton Glen, Lot 48 thereof, accordingly. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. The subject property having been posted and there being no requests for a public hearing, a decision shall be rendered based upon the documentation contained within the case file. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable

hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this _______ day of May, 1999 that the Petition for Administrative Variance seeking relief from Sections 1B01.2.C.1.b and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a rear yard setback of 16 feet in lieu of the required 22.5 feet for a proposed deck/porch (screened), and to amend the last approved Final Development Plan for Caton Glen, Lot 48 thereof, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, the Petitioner is hereby made aware that proceeding at this time is at her own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner

for Baltimore County

TMK:bjs



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

May 11, 1999

Ms. Kimberly C. Thrift 1924 Windys Run Road Catonsville, Maryland 21228

RE: PETITION FOR ADMINISTRATIVE VARIANCE

W/S Windys Run Road, 800' S of the c/l West Geipe Road

(1924 Windys Run Road)

1st Election District - 1st Councilmanic District

Kimberly C. Thrift - Petitioner

Case No. 99-397-A

Dear Ms. Thrift:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Deputy Zoning Commissioner

for Baltimore County

TMK:bjs

cc: People's Counsel; Case File



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the propert	y located at 1924 Windys Run Rd.
101 the property	which is presently zoned DR 5.5
This Petition shall be filed with the Department of Perm owner(s) of the property situate in Baltimore County and white made a part hereof, hereby petition for a Variance from Section A REAR SETBACK OF 16 FT IN LIEU OF A PROPOSED OPEN (SCREENED) DECK/PORTUNAL DEVELOPMENT PLAN FOR LOT # 48	CH AND TO AMENO THE LAST FOR
of the zoning regulations of Baltimore County, to the zoning I of this petition form.	law of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as prescribed by the I, or we, agree to pay expenses of above Variance, advertising, poregulations and restrictions of Baltimore County adopted pursuant	esting, etc. and further agree to and are to be bounded by the zoning
	I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
Name - Type or Print	Kimberly C. Thrift Name-Type or Print Vanibelly C. Nig
Signature	Signature
Address Telephone No.	Name - Type or Print
City State Zip Code Attorney For Petitioner:	Signature (w) 410 955 1924 Windys Run Rd. (+) 410 744 Address Telephone No. CAtonsville MD 21228
Name - Type or Print	CAtonsville MD 21228 City State Zip Code
Signature	Representative to be Contacted:
Company	Name 1924 Windys Run Rd 469
Address Telephone No.	Address Telephone No. CAtons ville MAD 21228 BY 18 744
State Zip Code	City State Zip Code
Public Hearing having been formally demanded and/or found to be day of that the subject matter of the property be reposted.	required, it is ordered by the Zoning Commissioner of Baltimore County, his petition be set for a public hearing, advertised, as required by the zoning
EASE NO. 99-397-A Rev	Zoning Commissioner of Baltimore County riewed By Date _A 7

Estimated Posting Date

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	1924 Windy	s Run Rd.	
	Address CAtons ville	MD 51258	
	City	State	Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

I am requesting a variance for the property of 1924 Windys Run Road. This property is located in a new development that is zoned with an older neighborhood containing larger properties. I was unable to obtain any permit at all for a porch and deck due to the rear setback of the property. While purchasing this home the builder did not disclose any information related to zoning permits or variances required in this development. As a result I am unable to exit the rear of my home in the event of an emergency or otherwise. Therefore I am requesting a variance for a porch and deck so that I may exit the rear of my home via the sliding glass door.



That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature C. Hig		
Signature	Signature	
Signature Kimberly C. Thrift		
Name - Type or Print	Name - Type or Print	
STATE OF MARYLAND, COUNTY OF BALTIMORE, to		
· · · · · · · · · · · · · · · · · · ·		
I HEREBY CERTIFY, thisday of		
the Affiant(s) herein, personally known or satisfactorily	. Variabelles C. The	1924 Windys Run Rd.
the Affiant(s) herein, personally known or satisfactorily is law that the matters and facts hereinabove set forth are t	dentified to me as such Affiai rue and correct to the best of	nt(s), and made oath in due form of nis/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal		
4/6/99	Debach & Dost	munn
Date' '	Notary Public	-
	My Commission Expires	DEBORAH A HORSTMANN

REV 09/15/98

Notary Public

Anne Arundel County Maryland My Commission Expires Sep 15, 2002

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as

competent to testify thereto in the event that a pi	within the personal knowledge of the Affiant(s) and that Affiant(s) is/are ublic hearing is scheduled in the future with regard thereto.
That the Affiant(s) does/do presently reside at	1924 Windys Run Rd. Address CAtons Vila VWD 21228 City State Zip Code
,, ,	Address CO 1 Anno 11 10 10 10 10 10 10 10 10 10 10 10 10
	City State Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship	wing are the facts upon which I/we base the request for an Administrative p or practical difficulty):
located in a new development the properties. I was unable to obtain setback of the property. While information related to zoning peresult I am unable to exit the real	the property of 1924 Windys Run Road. This property is that is zoned with an older neighborhood containing larger ain any permit at all for a porch and deck due to the rear purchasing this home the builder did not disclose any ermits or variances required in this development. As a far of my home in the event of an emergency or otherwise. it is a porch and deck so that I may exit the rear of oor.
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	rmal demand is filed, Affiant(s) will be required to pay a reposting and dditional information.
Signature Cimberly C. Th Name - Type or Print	Signature
1/2 /- 2 /- 6 7/	· Ce
Name - Type or Print	Name - Type or Print
STATE OF MARYLAND, COUNTY OF BALTIM	•
of Maryland, in and for the County aforesaid, per Kimberly C. Thrift	
the Affiant(s) herein, personally known or satisfiaw that the matters and facts hereinabove set for	actorily identified to me as such Affiant(s), and made oath in due form of orth are true and correct to the best of his/her/their knowledge and belief.
AS WITNESS my hand and Notarial Seal	
4/6/99	Which I Kerstmann
Dafe	Notary Public

My Commission Expires

REU 09/15/98

DEBORALLA, HORSTMANN Notary Public Anne Arundel County Maryland My Commission Expires Sep 15, 2002



CASE NO.

Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

____ Date _

Estimated Posting Date _

Toy as	C	•
	for the property I	located at 1924 Windys Run Rd.
		which is presently zoned DR 5.5
made a part hereof, hereby petition for a V $\beta \subset \mathcal{Z} R \text{to Remit}$	re County and which ariance from Section A rea- So	is described in the description and plat attached hereto and list Bol. Z. C. I. D. And 301.1 Etback of 16 FT. in lieu For A proposed open (Screened) und the last approved
Deck/Parch An	d to an	und the last sported
Final develope.	sunt Plasa	For lot #48 in CAton Glen.
the of the of	XX E 11001	is the 19 IN CHEST ALTAI.
of the zoning regulations of Baltimore Coulof this petition form.	nty, to the zoning law	of Baltimore County, for the reasons indicated on the back
Property is to be posted and advertised as I, or we, agree to pay expenses of above Varia regulations and restrictions of Baltimore County	ince, advertising, postir	ng, etc. and further agree to and are to be bounded by the zoning
		I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:		Legal Owner(s):
		Kimberly C. Thrift
Name - Type or Print		Name-Type or Print
Signature		Signature C. Mig
Address	Talankana Na	
Address	Telephone No.	Name - Type or Print
City State	Zip Code	Signature (w) 418 955 1320
Attorney For Petitioner:		1924 Windys Run Rd (4)400 7447143 Address Telephone No. CAtons ville, MD 21228
Name - Type or Print		City State Zip Code
Signature		Representative to be Contacted:
Signature		Kimberla thrift
Company	<u></u>	Name
Address	Telephone No.	Address Telephone, No. 955132
City State	Zip Code	CAtonsille MD 21228 GHya 7447K
A Public Hearing having been formally demande	d and/or found to be re	quired, it is ordered by the Zoning Commissioner of Baltimore County,
this day of that regulations of Baltimore County and that the property	the subject matter of this	petition be set for a public hearing, advertised, as required by the zoning
to the without a the last of the street of the street of		Zoning Commissioner of Baltimore County
		Loning Commissioner of Daulinote County

Zoning Description

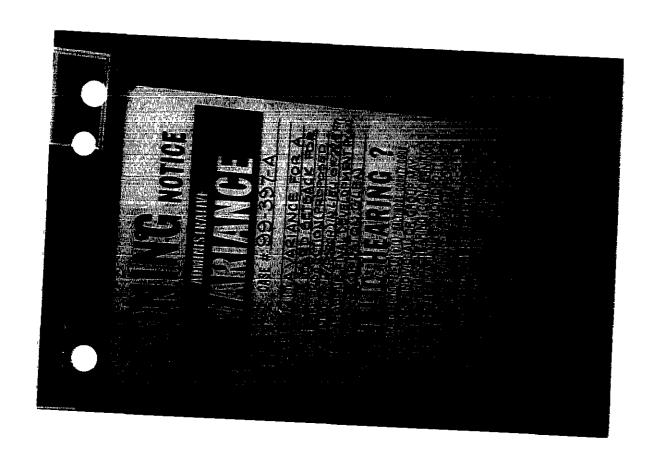
397

Zoning description for 1924 Windys Run Road.

Beginning at a point on the West side of Windys Run Road which is 50 feet wide at the distance of 800 feet South of the centerline of the nearest improved intersecting street West Geipe Road which is 50 feet wide. Being lot # 48 in the subdivision of Caton Glen as recorded in Baltimore County Plat Book # SM 67, Folio # 124 containing 0.129 acres. Also known as 1924 Windys Run Road and located in the 1st Election District, 1st Councilmanic District.

BALTIMORE COUNTY, MARYL 391 No. 065441 OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT DATE 4/7/99 ACCOUNT ROO16150 AMOUNT \$ 100.00	PATTO RECEIPT PROJESS OF THE THE CARPATAN A STATE OF THE
RECEIVED THRIFT FOR: RVFILING + AMEND FDP	Recort Tet 100.00 100.00 TW .00 To Baltimore County, Maryland
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	97-A CASHIER'S VALIDATION

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-CERTIFICATE G POSTING

IE: Case No.: 99-397-A
Petitioner/Developer:
KIMBERLY THRIFT
Date of Hearing/Closing: MAY 3, 1999
-
ry that the necessary sign(s) required by law d at MDYS RUM NOAD
onth, Day, Year)
Sincerely, Calculation of Sign Poster and Date) (Signature of Sign Poster and Date) (Printed Name) (Printed Name) 3725 RYERSONI (CINCLE (Address) PACTIMONE, Mp. 2177) (City, State, Zip Code) (410) 247-4763 (Telephone Number)

APR 1 9 1999

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

•
Case Number 99- 397 -A Address 1924 WINDYS RUN RD
Contact Person: JLLEWS Phone Number: 410-887-3391
Filing Date: 4799 Plannér, Please Print Your Name Plannér, Please Print Your Name Posting Date: 41899 Closing Date: 5399
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
DEADLINE: The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 99- 397 -A Address 1924 WINDYS RUN RD.
Petitioner's Name KIMBERLY THRIFT Telephone 410 955 1320
Posting Date: 41899 Closing Date: 5399
Wording for Sign: To Permit A VARIANCE FOR A 16 FT, REAR YARD SETBACK FOR AN
OPEN PROJECTION (PROPOSED SCREENED DECK/PORCH) IN LIEU OF \$ FT. AND
TO AMEND THE FINAL DEVELOPMENT PLAN FOR LOT #48 OF CATON GLEN.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Nows	nanar Advortisinas
FOI NEWS	paper Advertising:
Item Numb	per or Case Number: 391
Petitioner:	THRIFT
Address or Location: 1924 WINDIS BUN RD.	
PLEASE F	ORWARD ADVERTISING BILL TO:
Name:	Kimberly C. Thrift
	1924 Windys Run Rd.
	Catoricville, MD 21229
Telephone	Number: (H) 414 744 7143 (W) 410 955 1320

Revised 2/20/98 - SCJ

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

May 4, 1999

Ms. Kimberly C. Thrift 1924 Windys Run Road Catonsville, MD 21228

RE: Case No.: 99-397-A

Petitioner: Thrift

Location: 1924 Windys Run Road

Lichards, Jr. JAM

Dear Ms. Thrift:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on April 7, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor

Zoning Review

WCR:ggs

Enclosures

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: April 26, 1999

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for April 26, 1999

Item Nos. 394, 395, 396, (397) 398,

400, and 402

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: 4/2499

Permits and Development Management

FROM:

R. Bruce Seeley, Project Manager ANS

Development Coordination

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has **no comments** for the following Zoning Advisory Committee Items:

Item #'s:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date: April 20, 1999

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Jeffy M-Zz

Item No (s): 383, 386, 391, 395, 397, 400, 401 and 402

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL



700 East Joppa Road Towson, Maryland 21286-5500 410-887-4500

May 13, 1993

Arrold Tarlor, Director Tariou Administration and Development Management كالأراج والمراجع المراجعين المؤلف والمراجع المراجع الم militaria Ser grada ANIT STID-1.15 मिस्र । हेर्पार्यप्रमार अध्यक्षित्र सम्मित्ति Nunstiet: GreekiBurion MEEring of Abril 19, 1999 Thum May 7 Papa Reliand 7001172 Addates MENATURE. Tribre to the constant the representations they been simplement by this Eugean and the comments halow are anniboable and ran lyed to be inveniend or connemprated that the first of sign of the wringery The Wine Wileshalle Office hay an enmange of they rima יים פון און אפון האוויים ביים פון די פייזים ביים און אפון פון די פון 394, 395, 395, /397) 398, 410, 491 and 403PEMIENES: IN SVEED D. SYNEDMAID TIV V V-RAT CERIAN STAME BOTLIGST, MGLITTE ·::: 두5급~



Parris N. Glendening Governor John D. Porcari Secretary Parker F. Williams Administrator

JLL

Date: 4.20.99

Baltimore County

Item No. 397

RE:

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

4. J. Michael M. Lenhart, Acting Chief Engineering Access Permits Division

3/20/99

Baltimore County Zoning Department,

On 3/18/99, a permit was requested to build a 14' x 14' screened porch and a 14' x 14' deck attached to the rear of my house. We were informed that a variance was needed. Since then I have shared these plans with all of my adjoining neighbors and acquired signatures of their approval of these plans. These plans were also submitted to Forty West Builders Architectural Review Committee and the approval letter is enclosed.

Thank You,

Kimberly C. Thrift 1924 Windys Run Road Catonsville, MD 21228

Signature Belle Zee Address 1926 Windys Run Rd

Printed Name Belle Lee

Signature Don Schut Address 1922 Windys Run Rd

Printed Name Donald Schwarz

Signature Terra L Facetor Address 1928 Windy's Run Rd

Printed Name Terra L Facetor Address 1928 Windy's Run Rd



1007 Leslie Avenue Catonsville, MD 21228 410-788-4955 Fax 410-788-5081 397

February 17, 1999

Kim Thrift 1924 Windys Run Road Catonsville, MD 21228

Re: Proposed deck and porch

Dear Kim,

The architectural review committee of Caton Glen has reviewed the drawings you submitted for your proposed screened porch and deck and have found the project to be in keeping with the convenants and restrictions of the community. It is still your responsibility to meet all of Baltimore County's building and zoning regulations and to acquire all necessary permits from the County.

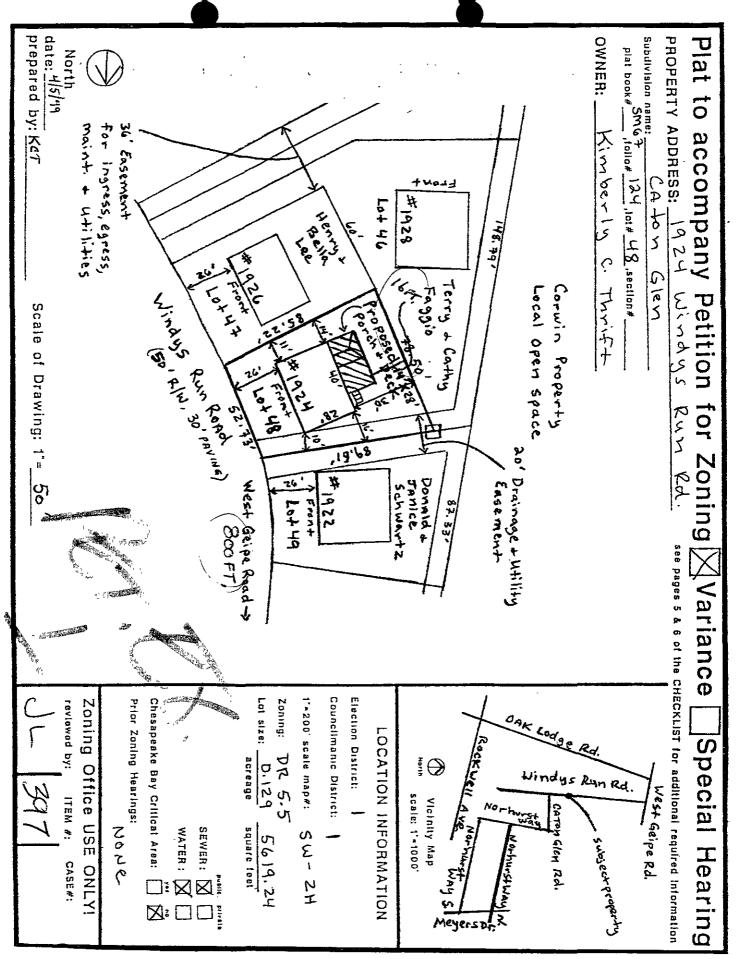
Sincerely,

Stephen H. Costello

Architectural Review Committee

Caton Glen

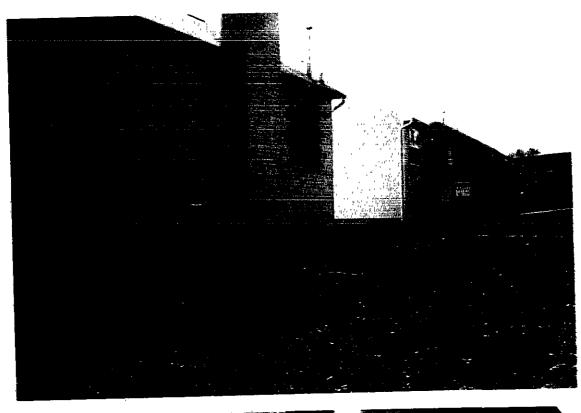
P.S. Congratulations on your black belt.







99.397-A





99-397-A

